

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BEATRICE EDWARDS and
CARL C. EDWARDS,

Plaintiffs,

v.

METROPOLITAN LIFE INSURANCE
COMPANY, et al.,

Defendants.

No. C 10-03755 CRB

**ORDER DENYING MOTION FOR
DEFAULT JUDGMENT**


Pro se Plaintiffs Beatrice and Carl Edwards have moved for default judgment against Defendant Metropolitan Life Insurance Company. See Mot. (dkt. 135). Pursuant to Civil Local Rule 7-1(b), the Court finds this Motion suitable for resolution without oral argument or further briefing, DENIES the Motion, and VACATES the hearing set for December 14, 2012.

Plaintiffs assert that they “requested entry of default as to Defendant MetLife,” Mot. at 2, and attach a case management conference statement which states “Plaintiffs respectfully request entry by the Court of default,” Mot. Ex. B. But the Clerk of the Court has not entered default against Defendant. “In light of the requirement to obtain entry of default before seeking default judgment, courts deny motions for default judgment where default has not been previously entered.” Hofelich v. Hawaii, No. 11-34, 2011 WL 1438096, at *1 (D.

Hawaii April 14, 2011). Plaintiffs' Motion is DENIED.

IT IS SO ORDERED.

Dated: November 9, 2012



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California